

# **STATE OF MAINE**

## **Project Priority Point system**

### **Multi-year Project, Additional needs and Sand/Salt Shed Lists**

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## INTRODUCTION

Fiscal year 1989 marked the beginning of Maine's transition from a grant program to project financing by the State Revolving Loan Fund (SRF). Fifty percent of Maine's allocation in FY89 and 90 went to the loan fund and all federal dollars from FY91 on are capitalization grants to the SRF. States must provide a 20% match to receive the federal dollars authorized. Maine citizens approved over \$40 million in bond issues that provided the state match for fiscal years 1989 through FY2009. The Maine Municipal Bond Bank (MMBB) is the financial manager of Maine's SRF and the Department of Environmental Protection (DEP) administers technical aspects of the program and individual projects funded by it. The primary purpose of the fund is to, "acquire, design, plan, construct, enlarge repair or improve publicly-owned sewage systems, sewage treatment plants or to implement related management programs". The long term goal of the SRF is to maintain and improve Maine's inventory of municipal sewage facilities in perpetuity. This will ensure preservation of the water quality gains that were realized by initial construction of them.

In 1996 the 117th Maine Legislature expanded the eligible use of the Maine SRF to include the remediation of municipal landfills that effect groundwater. Only municipal landfill projects that have been designated as a federal Super Fund Site or a state Uncontrolled Hazardous Waste Site are eligible to receive SRF loans.

In an attempt to try and meet the long term needs of treatment facilities in Maine, the Bond Bank, in addition to lending capitalization grant and state matching dollars, can lend three bond dollars for every one federal and state dollar available. This is accomplished by making parallel loans of capitalization grants at 0% and bond loan dollars at market rates to maximize total loan needs for water quality. Currently the state match has been funded by appropriations of State of Maine General Obligation Bonds as approved by voters. It is expected to continue this way, but in the event that it is not received in any one year, the Bond Bank would be prepared to issue revenue bonds to meet its state matching obligations and maintain the viability of the SRF program.

It is the goal of the Maine SRF program to preserve the principal amounts of capitalization grant dollars in perpetuity while fulfilling its lending obligations to treatment facilities within Maine in the easiest and most cost effective manner possible. Maine continues to strive for funding mechanisms that will expedite loan repayments of current capitalization grant dollars to increase turnaround and create more funding for future loans in years following the award of capitalization grants.

## **Multi-Year SRF Priority List**

Maine's SRF was established to provide a perpetual funding mechanism for communities and districts with wastewater facilities. This list contains the State's inventory of wastewater facilities and the SRF is a source of funding to each one, should they choose to use it. Each year the DEP will prepare an Intended Use Plan (IUP) and projects will be selected from this list and assigned an environmental priority by the Environmental Priority Point System at that time. However, if there is sufficient funds, any entity on the Multi-Year Priority List may apply for an SRF loan during the fiscal year.

## **Additional Needs**

The Communities listed here do not have wastewater treatment facilities. Pollution problems exist that impair water quality classifications/uses or endanger public health. These communities are also eligible for SRF assistance or the projects may be funded by a combination of grants and loans from the DEP and/or other sources. After construction of wastewater facilities is complete in these communities they will be transferred to the Multi-Year SRF Project List as part of the states inventory of wastewater facilities.

## **Municipal Landfills**

In 1996, the 117th Maine Legislature expanded the eligible use of the Maine State Revolving Loan Fund (SRF) to include the remediation of municipal landfills that effect groundwater. Only municipal landfills projects that have been designated as a federal Super Fund Site or a state Uncontrolled Hazardous Waste Site are eligible to receive SRF loans.

## **Sand/Salt Sheds**

Beginning in 2004 the DEP will provide SRF funds to municipalities to design and construct sand/salt sheds in areas that the DEP has determined that ground water or surface water has been contaminated by uncovered sand/salt piles.

## **DEPARTMENT OF ENVIRONMENTAL PROTECTION MUNICIPAL CONSTRUCTION GRANTS PROGRAM**

State law gives the DEP flexibility to use grant dollars with other sources of funding to provide an affordable financing package for municipal wastewater facilities. Most past projects were funded with a combination of Environmental Protection Agency (EPA) grants, DEP grants and both loan and grant assistance from Rural Development (formally known as Farmers Home Administration). The EPA grants program has ended but Rural Development continues to be a major funding source. Maine's inventory of wastewater facilities would be much smaller without the excellent past performance of the Farmers Home Administration. Some projects have also been funded by combining DEP grants with funds from Economic Development Administration, Department of Economic and Community Development, Housing and Urban Development and Community Development Block Grants. Unfortunately, in recent years, State grants have not been voted by the Legislature to be included in environmental bond issue questions each November. Therefore, the DEP has little grant funds to contribute to pollution projects.

Maine's SRF has replaced the EPA grant program. It is program policy to keep user charge from exceeding 2% of a communities Median Household Income (MHI) by using DEP grant dollars in combination with the SRF Loans. The user charge is typically operation and maintenance expenses plus debt service. The 2% goal is examined periodically when new MHI information is available. Maine Revised Statutes Annotated Title 38, Chapter 3, Section 411 and 412 provide the nucleus for the Department of Environmental Protection's policy in formulating a priority system. Section 411 and 412 are reproduced, in part, below for informational purposes.

#### 38\_411. State contribution to pollution abatement

"The commissioner may pay an amount not to exceed 80% of the expense of a municipal or quasi-municipal pollution abatement construction program or a pollution abatement construction program in an unorganized township or plantation authorized by the county commissioners. The commissioner may make payments to the Maine Municipal Bond Bank to supply the State's share of the revolving loan fund established by Title 30-A, section 6006-A..."

"State grant-in-aid participation under this section is limited to grants for waste treatment facilities, interceptor systems and outfalls. The word "expense" does not include costs relating to land acquisition or debt service, unless allowed under federal statutes and regulations."

"All proceeds of the sale of bonds for the construction and equipment of pollution abatement facilities expended under the direction and supervision of the commissioner must be segregated, apportioned and expended as provided by the Legislature."

#### 38\_412. Grants by State for planning.

1. Grants by State for planning. The commissioner is authorized to pay an amount at least 15%, but not to exceed 25%, of the expense incurred by a municipality or quasi-municipal corporation in preliminary or final planning of a pollution abatement program in the form of a grant. The amount may not be paid until the governing body of the municipality or the quasi-municipal corporation duly votes to proceed with preliminary or final planning of a pollution abatement program, as appropriate.
  - A. For the purposes of this section, "preliminary planning" means engineering studies that include analysis of existing pollution problems; estimates of the cost of alternative methods of waste treatment, studies of areas to be served by the proposed facilities and estimates of the cost of serving such areas; preliminary sketches of existing and proposed sewer and treatment plant layouts; and estimates of alternative methods of financing, including user charges, and other studies and estimates designed to aid the municipality or quasi-municipal corporation in deciding whether and how best to proceed with a pollution abatement program.
  - B. For the purposes of this section, "final planning" means the preparation of engineering drawings and specifications for the construction of waste treatment facilities, interceptor systems and outfalls or other facilities specifically designated in departmental rules. All proceeds from the sale of bonds for the planning of pollution abatement facilities expended under the direction and supervision of the commissioner must be segregated, apportioned and expended as provided by the Legislature.

## ENVIRONMENTAL PRIORITY POINT SYSTEM FOR STANDARD CWSRF PROJECTS

The Department of Environmental Protection has established an Environmental Priority Point System to place proposed wastewater treatment projects in a listing according to their relative priority of environmental impact or benefit. The system contains five (5) basic priorities which relate to the public health hazard created by the wastes or to the use of the waters to which wastes are discharged. In addition to these five basic priorities there is a subsystem with point values of 0, 6 or 12 points that indicates the intensity of the problem as being either low, medium or high. This system will be the basis for ranking projects. Other added points will be given based on 2010 federal requirements. There will also be incentives regarding energy audits and asset management. Details on hardship principal forgiveness, and incentive principal forgiveness are in the section 2010 Wastewater Infrastructure Project Priority Ranking System.

All five priorities and the subsystems are discussed in detail below.

### Base Points

<u>Priority 1</u>	Water Supply Protection	30 Points
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The project to be funded will eliminate a source of ground or surface water supply contamination. This priority denotes that a potential public health hazard does exist and that without such project alternative sources of water would be required or additional water treatment would be necessary.

<u>Priority 2</u>	Lakes Protection	25 Points
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This priority denotes that the project will eliminate or improve facilities discharging directly or indirectly to lakes and ponds which create detrimental impacts on trophic state.

<u>Priority 3</u>	Shellfishery Protection	20 Points
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This priority includes projects that will eliminate sources of contamination to shell fishing areas. The project will eliminate sources of waste that are partially or wholly responsible for a shellfishery area presently being closed.

<u>Priority 4</u>	Water Quality Concerns	15 Points
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This priority denotes that the project will reduce the level of pollutants to waterbodies of present classification or where a proposed project can be expected to raise quality to the next higher classification.

<u>Priority 5</u>	Facility Needs	10 Points
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This category includes all structural deficiencies of collection, transport and treatment systems. Such things as untreated sewage creating a public health hazard, a project to meet general water quality standards or a treatment plant not meeting effluent criteria would be in this category.

## PRIORITY SUBSYSTEMS

The priorities of water supply and shellfisheries involve other agencies in the state. The Health Engineering Division of Human Services is responsible for the water supply program in Maine (Priority 1). The Department of Marine Resources manages shellfishing areas (Priority 3). Accordingly these agencies have developed the subsystems which relate to the intensity of the problem for these priorities. DEP staff has developed the subsystems for priority 2,4 and 5. Inland Fish and Wildlife is the agency responsible for management of inland and anadromous fisheries. DEP receives input from Inland Fish and Wildlife when water quality problems impact these fisheries.

The intensity of the problem (Low, Medium, High) is identified by the subsystem for that category. The agency having jurisdiction applies the subsystem to each project in their category of responsibility. For example, if a category 3. project (Shellfishery Protection) was determined to be a medium intensity problem by the Department of Marine Resources it would be assigned 26 points on the priority list (3-M). Several projects may be in the same category and assigned equal points. The second regular session of the 113th Legislature included median household income, MHI, as a factor in determining funding priority. Projects with the same point assignment will be ordered by MHI with the lowest income community receiving the highest priority within that subsystem category.

### **Priority Points Assignment**

	Low	Medium	High
1. Water Supply Protection	30	40	50
2. Lakes Protection	25	31	37
3. Shellfishery Protection	20	26	32
4. Water Quality Concern	15	21	27
5. Facility Needs	10	16	22

### **1. Water Supply Protection**

Five criteria are used in this subsystem with each having a point value of 1,2, or 3 points. The assignment to a level of intensity is arrived at as follows:

Low Range	1 x 5 = 5
Medium Range	2 x 5 = 10
High Range	3 x 5 = 15

1.Population Served	2,000(1)-10,000(3)
2.Degree of Dependence on Water Source Alternate(1)--No Alternate(3)	
3.Difficulty of Treatment	Proven(1)—Experimental(3)
4.Existing Treatment	Full(1)—None(3)
5.Cost of Treatment	1% of Revenue(1)--10% of Revenue(3)

## **2. Lakes Protection**

Low(0) Facility has minor effect on trophic state of a lake.

Medium(6) Existence of marginal trophic quality or increasing trophic conditions

High(12) Conditions exist in a lake which cause non attainment of class GPA

## **3. Shellfishery Protection**

DEP Project(s)#: \_\_\_\_\_ Base Points: \_\_\_\_\_

Evaluation Date: \_\_\_\_\_ Value Related Points: \_\_\_\_\_

Town: \_\_\_\_\_ Total Priority Points: \_\_\_\_\_

Growing Area: \_\_\_\_\_ Classification: \_\_\_\_\_

### **Value Related Points**

Category	L	M	H	Comments
Shellfish Production	Commercial(+3)			Limited(+2) Potential(+1)
Estimated Value of Resource	High(+3)			Medium(+2) Low(+1)
Projected Area Reclassification	General(+3)	Conditional(+2)		Depuration(+1)
Economic Importance	High(+3)			Medium(+2) Low(+1)
State & Local Interest	High(+3)			Medium(+2) Low(+1)
Total Value Related Points _____				

### **Definition of Terms**

Shellfish Production:

Potential	A shellfish growing area is considered to be a <u>potential</u> growing area when all environmental factors (chemical, physical and biological) exist within levels suitable for the propagation of shellfish, or if historical records indicate the area to be one time productive.
Limited	A shellfish area is considered to have <u>limited</u> harvesting when current or past shellfish availability would yield quantities of less than 1/2 bushel per tide and/or less than 1/8 acre in size.
Commercial	A shellfish area is considered to have <u>commercial</u> harvesting when current or past shellfish availability would yield quantities greater than 1/2 bushels per tide and/or greater than 1/8 acre in size.

Estimated Value of Resource:

An estimated dollar value will be assigned to each growing area based on the standing crop and current market value (3.85 x landed value).

#### Projected Area Reclassification:

General	If after abatement, the projected area reclassification would meet the standards suitable for open harvesting, the highest number of value related points will be given (value judgment).
Conditional	If after abatement, the projected area reclassification would meet the standards suitable for conditional harvesting, then the next highest value related points will be assigned (value judgment).
Depuration	If after abatement, the projected reclassification at best would meet the standards for depuration harvesting, then the lowest number of value related points will be given (value judgment).

#### Economic Importance:

Value related points will be assigned to those areas where the shellfishing resource is considered to have an economic impact on the local economy. Factors that will be considered are:

- (1) Number of licensed diggers utilizing the resource (past, present and future);
- (2) Other opportunities available for generating personal income;
- (3) Local market value of the resource, current or potential.

#### State and Local Interest (Shellfish Management Program):

Value related points will be given to those areas where a sincere interest in pollution abatement, shellfish management, aquaculture or other related interests in the marine resources has been demonstrated.

### **4. Water Quality Concerns**

- Low(0) Water quality standards are achieved, however, project could lead to designation of next higher classification.
- Medium(6) Projects which would result in improved habitat, production or other enhancement of the fishery or other tangible improvements to water quality.
- High(12) Water quality standards are not achieved for designated class.

### **5. Facility Needs**

- Low(0) A project with the base point assignment has a relatively minor problem by comparison with others in this category. A deficiency exists or the potential for a public health hazard is evident but the operational impact if any is minor and the public health dangers only slight.



Medium(6) This sub-priority indicates the existence of a substantial problem that may involve several of the factors in the Facility Needs category. The structural deficiencies cause problems and/or the risk of public health problems is more than slight.

High(12) The assignment of this level is made only for those facilities having the most severe structural/operational problems and/or a public health hazard exists.

### **ADDITIONAL NEEDS PROJECTS**

#### **NOTES ON PRIORITY LIST FORMAT** **Description of Projects**

	TYPE	WORKS
(NEW)	New waste treatment	1. Outfall sewer
(INC)	Modification of existing system with increase in capacity (INC)	2. Interceptor sewer
(INT)	Modifications of existing system with increase in treatment level (INT)	3. Collector sewer
(ICT)	Modification of existing system with increase in both capacity and treatment level (ICT)	4. Force main 5. Pumping Station
(MOD)	Modification to existing system with no increase in capacity or treatment level - interceptor pumping station, etc. (MOD)	6. Sewer infiltration correction 7. Separation of combined storm/sanitary sewers 8. Treatment Plant 9. Other Works

#### **Project Step**

- |                         |                     |
|-------------------------|---------------------|
| 1. Preliminary Planning | 3. Construction     |
| 2. Final Planning       | 4. Design/Construct |

#### **Needs Categories**

I	Secondary Treatment
II	Treatment more stringent than secondary
IIIA	Infiltration/inflow correction
IIIB	Major Sewer System rehabilitation
IVA	New collector sewers and appurtenances
IVB	New interceptors and appurtenances
V	Correction of combined sewer overflows
VI	Storm Water Management
VII	Non-point source

## **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

### **2010 Wastewater Infrastructure Project Priority Ranking System**

The Clean Water State Revolving Fund (CWSRF) is jointly administered by the Maine DEP and the Maine Municipal Bond Bank. The CWSRF provides funding for planning, design and construction of municipal wastewater treatment facilities, sewer systems and other water pollution facilities or practices.

For Federal Fiscal Year (FFY) 2010, the Department will use a rating system based on the existing Environmental Priority Point system. The primary objective for distributing funds is to focus on projects that will realize the most environmental benefit. However, additional points will be given for green components in projects, legal requirements necessitating a project, the degree of expected environmental success, compatibility with previously identified needs, availability of co-funding with other funding agencies and benefits that can be derived from regionalization of water quality improvement efforts.

In 2010, the Department will provide incentives to encourage energy audits, implementation of asset management plans and the establishment of repair and replacement reserve accounts.

The CWSRF is a well established program with an existing system for ranking projects based on five environmental priority levels with sub ratings within each. The system results in a point score being assigned that ranges from 10 to 50 points. That point score will be adjusted in consideration of the factors as discussed above. Each adjustment will be in the form of a percent increase to the base point rating. The base points and the adjustments will be summed to obtain a final number of points that will represent the proposed project's priority score. The priority score will be the order of precedence for offers of funding assistance. The rating system is more fully described in Appendix A. In the event two or more proposed projects are tied with the same number of total points and funding is limited, the ties will be broken using by the relative economic condition of the sponsoring community as reflected in the sewer user fee as a percentage of the median household income.

### **2010 Principal Forgiveness**

Fifty percent of the available principal forgiveness for 2010 will be available for those applicants in the top 50% of the ranking that have economic hardship. The maximum of hardship principal forgiveness per borrower will be \$1,000,000. The amount of a hardship principle forgiveness offer for each project will be variable depending on the community's economic circumstances as defined by its existing average sewer user rate as a percentage of the median household income under the Department's long

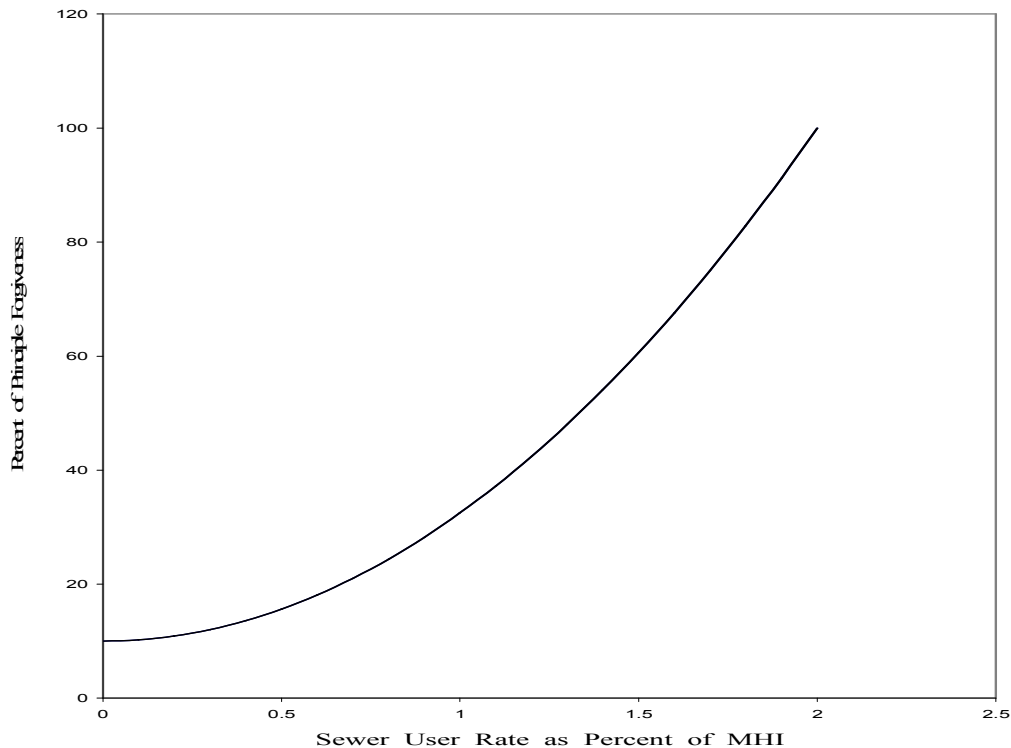
standing criteria for a community's ability to pay. The Department acknowledges that this rate does not reflect the cost of the proposed projects. However, existing rates provide a uniform basis of comparison for all projects. (Some projects, such as those for control on non-point sources of pollution, may not have traditionally defined sewer user rates. In those cases, the Department will use the average percentage of all the applicants for 2010 as a means of maintaining equity across the board).

The calculation of the principal forgiveness amount is:

$$\text{Principle forgiveness \%} = 10 \% + \left[ \frac{(\text{user rate})^2}{4} \times 90 \% \right]$$

Where the user rate is the average annual residential charge as a percent of the median household income.

This non-linear formula has the effect of providing proportionally greater assistance in the form of principle forgiveness to communities having the higher existing sewer user charges. This is depicted graphically below.



Sewer User Rate as Percent of MHI	0	0.2	0.4	0.6	0.8	1	1.2	1.4	1.6	1.8	2
Percent of Principle Forgiveness	10	10.9	13.6	18.1	24.4	32.5	42.4	54.1	67.6	82.9	100

The methodology for allocating principal forgiveness will be as follows:

### **Hardship Principal Forgiveness**

After all proposed projects are ranked, the top 50% will be considered for hardship principal forgiveness. The Department will start with those applicants that have a current user charge that is 2% or more of their MHI and allocate principal forgiveness using the formula above. If, after allocating funds to those projects, there is still hardship principal forgiveness remaining, the Department will drop down to those with a user charge of 1.99% of MHI. We will continue dropping in 0.01% increments until all the hardship principal forgiveness is allocated within the top 50% of ranked projects. Those projects ranked within the lower 50% of all projects will not be eligible for hardship principal forgiveness. The purpose of this is to attempt to strike a balance between environmentally important projects and the need to provide assistance to those applicants with the most economic stress. Those applicants that receive hardship principal forgiveness will be required to implement an asset management program in accordance with guidance provided by the Department, and establish a repair and replacement reserve account equal to at least 2% of its annual O&M budget each year for five years. The borrowers would have to provide yearly budget reports showing funds in the reserve account for each year for the five years and, if funds were expended, what the funds were used for. These requirements would be included in the loan agreements. The applicants would also have to agree to have their wastewater discharge permits modified to include these conditions. An exception may be considered for those with a current user charge of 2% or more of their MHI. In those cases, the percentage of the O&M budget will be negotiated with the Department on a case by case basis.

### **Energy Audits**

The remaining fifty percent of available principal forgiveness in 2010 will provide an incentive to those borrowing for proposed wastewater design and construction projects to encourage comprehensive energy audits to identify energy efficiency projects and the implementation of asset management plans that include repair and replacement reserve accounts. A maximum principal forgiveness of \$20,000 per borrower would be provided to be used only for comprehensive process energy audits in accordance with minimum guidance provided by the Department. These audits may cost less for small communities or more for large communities, but the maximum principal forgiveness would be \$20,000.

### **Asset Management and Reserve Accounts**

After the energy audit principal forgiveness is allotted, the remaining 2010 principal forgiveness would be offered to the borrowers that did not get hardship principal forgiveness funds if they agreed to implement an asset management program in accordance with Department guidance and agreed to set aside 2% of their total yearly operation and maintenance budget in a reserve account each year for five years. The reserve account could not be used for purposes such as labor, energy costs or to artificially keep user fees down. The borrowers would have to provide yearly budget reports showing funds in the reserve account for each year for the five years and, if funds were expended, what the funds were used for. These requirements would be

included in the loan agreements. The applicants would also have to agree to have their wastewater discharge permits modified to include these conditions. Borrowers that currently have an asset management plan and a reserve account that meets the above requirements would receive principal forgiveness if they agree to continue the reserve account for five more years. The principal forgiveness would be 5% of the total principal borrowed. This would be an incentive, not a requirement, to receive a CWSRF loan. If the borrower did not want to do asset management and establish the reserve account, they could still borrow, but not receive the 5% principal forgiveness.

### **Description of the 2010 Priority Rating System**

A. **Base points rating.** The assignment of base points uses the Environmental Priority Point System having five priorities and three subcategories for each. Each project is assigned a number of points as summarized in the following matrix. The base point system is a long standing system approved by EPA in accordance with CWSRF requirements and per federal regulation requires a public hearing to modify.

Major Priority <sup>1</sup>	Priority Points by Relative Seriousness <sup>2</sup>		
	Low	Medium	High
1. Water Supply Protection	30	40	50
2. Lakes Protection	25	31	37
3. Shellfish Protection	20	26	32
4. Water Quality Protection	15	21	27
5. Facility Needs	10	16	22

#### <sup>1</sup> Priority 1 Water Supply Protection

The project to be funded will eliminate a source of ground or surface water supply contamination. This priority denotes that a potential public health hazard does exist and that without such project alternative sources of water would be required or additional water treatment would be necessary.

#### Priority 2 Lakes Protection

This priority denotes that the project will eliminate or improve facilities discharging directly or indirectly to lakes and ponds which create detrimental impacts on trophic state.

#### Priority 3 Shellfishery Protection

This priority includes projects that will eliminate sources of contamination to shell fishing areas. The project will eliminate sources of waste that are partially or wholly responsible for a shellfishery area presently being closed.

#### Priority 4 Water Quality Concerns

This priority denotes that the project will reduce the level of pollutants to waterbodies of present classification or where a proposed project can be expected to raise quality to the next higher classification.

#### Priority 5 Facility Needs

This category includes all structural deficiencies of collection, transport and treatment systems. Such things as untreated sewage creating a public health hazard, a project to meet general water quality standards or a treatment plant not meeting effluent criteria would be in this category.

<sup>2</sup>The existing Municipal Priority Point system also includes guidance for low, medium, and high rankings within the major priority categories that is not included here.

**B. Additional points to be added to base points.** Each of the following factors is rated as a percent of the base points. The various areas are summed and added to the base for a final score.

1. Readiness to proceed. This variable factor is used to rate the speed with which a project can be started with the goal of encouraging projects that proceed in a timely manner. The evaluation is based on when the design is to be completed and when construction can be started, with a window of June 2010 through July 2011 for design, and September 2010 through September 2011 for construction. Base points will be increased for each month prior to July 2011 that the project's design is complete (1 percent per month) and for each month prior to September 2011 the construction starts (2.0 percent per month). (So a project with a design complete date of December 2010, and a construction start date of April 2011 would be increased by 7% + 6% = 13%.)

Design completed - increase in base points up to: 12%  
Projected start of construction - increase in base points up to: 24%  
{Total potential ability to gain proceed points is 36% (1.36 multiplier)}

2. "Green" projects (criteria stated in guidance by EPA). Projects assigned this factor include green infrastructure, water or energy efficiency improvements or other environmentally innovative activities. While these can be freestanding projects, often they may be elements of larger projects. To evaluate green components, the dollar value of green elements will be determined as a percent of the total project cost. This percent will be multiplied by a constant value of 0.2 to obtain a percentage increase to the base points.

Increase in base points up to: 20%

3. Regulatory requirements. This factor is applied if the project is necessary to meet a regulatory requirement such as a license condition, implementation of required plan or study (e.g. an approved CSO plan or a toxicity reduction plan), or the requirements of a consent agreement or court order.

Required by consent agreement or court order - increase in base points: 20%  
Other specific regulatory requirement - increase in base points: 10%

4. Expected degree of success in addressing pollution concerns. This factor reflects the Department's estimate of how effectively the proposed project will address the local environmental problems for which the base points were assigned in part A. In rating this factor, the Department recognizes that most projects have inherent limitations and water quality problems often have multiple contributing sources.

Added reliability or decreased discharges – increase base points: 5%  
Significant reduction of a discharge – increase base points: 10%  
Elimination of one of several discharges – increase base points: 15%  
Elimination of a significant discharge – increase base points: 20%  
Elimination of a sole discharge source – increase base points: 25%

5. Regionalization of work. This factor recognizes that some proposed projects may represent efforts by two or more jurisdictions to solve water quality issues of common concern. Often, such effort can be more efficient and make better use of public resources to find cost-effective regional solutions.

Increase in base points: 15%

6. Previously identified needs. This factor recognizes proposed projects that have been previously identified by the community as long term established needs. Typically, a community will have identified long term established needs in the EPA Clean Water Act Needs Survey.

Increase in base points: 10%

7. Co-funded projects. If an applicant indicates that grant or loan money may be available from other sources (e.g. DOT, CDBG, State grant, STAG or RD), this has the potential to leverage all available funds with the result of more beneficial projects being done. The Department will consult with the other agencies to determine if there are confirmed grants or loans for the proposed project before assessing these extra points.

Increase in base points: 20%